## Amendment No. 1 to HB1312

## Watson Signature of Sponsor

AMEND Senate Bill No. 1862

House Bill No. 1312\*

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-11-118(a), is amended by deleting the subsection in its entirety, and by substituting instead the following:

- (a) Any defendant charged with a violation of 39-13-106, § 39-13-213(a)(2) or § 55-10-401 for whom bail has been set, may execute the bail bond and deposit with the clerk of the court before which the proceeding is pending a sum of money in cash equal to the amount of the bail. Upon depositing this sum, the defendant shall be released from custody subject to the conditions of the bail bond. Bail shall be set as low as the court determines is necessary to reasonably assure the appearance of the defendant as required. If the defendant has one (1) or more prior convictions for § 39-13-106, § 39-13-213(a)(2) or § 55-10-401, the court shall consider the use of monitoring devices to eliminate any danger to the community including, but not limited to:
  - (1) Ignition interlock devices;
  - (2) Transdermal monitoring devices or other alternative alcohol monitoring devices;
  - (3) Electronic monitoring with random alcohol or drug testing; or
  - (4) Pretrial residency in an in-patient alcohol or drug rehabilitation center.

SECTION 2. This act shall take effect July 1, 2011, the public welfare requiring it.